




## DEPARTMENT OF MENTAL HEALTH POLICY/PROCEDURE

|   |   |  |                                   |
|---|---|--|-----------------------------------|
| SUBJECT<br><b>ATTENDANCE</b>  | POLICY NO.<br><b>603.02</b>                     | EFFECTIVE DATE<br><b>11/1/2012</b>       | PAGE<br><b>1 of 4</b>             |
| APPROVED BY:<br><br>Director | SUPERSEDES<br><b>603.2</b><br><b>10/01/1989</b> | ORIGINAL ISSUE DATE<br><b>04/02/1979</b> | DISTRIBUTION LEVEL(S)<br><b>1</b> |

### PURPOSE

- 1.1 To provide guidelines for the Los Angeles County-Department of Mental Health (LAC-DMH or Department) management to ensure attendance and punctuality of employees and establish guidelines for managing absences and leaves.

### DEFINITIONS

- 2.1 **Unscheduled Absence:** An employee's failure to report to work or to remain at work as scheduled, failure to return to work following a break on time, or leaving work early without prior supervisory approval.
- 2.2 **Excessive Absences:** Other than leaves protected by relevant laws (i.e., Family Medical Leave Act [FMLA], Kin Care, Pregnancy Disability Leave, California Family Rights Act, etc.), the Department's standard of acceptable attendance is no more than one (1) unscheduled absence per month.
- 2.3 **Tardiness:** The failure to report to work at the designated work location at the scheduled work time.
- 2.4 **Scheduled/Pre-approved Absences:** A request made by the employee at least one (1) day or more in advance that is approved by the supervisor.

### POLICY

- 3.1 Consistent attendance is a basic condition of employment and essential to the operations of the Department. Work schedules and designated starting and end times, lunch breaks, and rest periods are established by the Department and are based on the needs of the operations. Except when on approved leave, employees are expected to arrive at their assigned work locations able to perform all of the essential functions of their positions and are ready to work at their designated starting times. Employees are also expected to return to work from meal and other breaks as scheduled.



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- 3.2 Managers must ensure that subordinate supervisors distinguish leaves that are protected by law from those that are simply the result of an employee's failure to observe attendance standards.
- 3.2.1 Disciplinary measures must not be taken in a case where what appears to be absenteeism is actually leave taken that is permitted by law. In a case where there may be doubt about an employee's leave, management may ask for verification of the leave in accordance with County Code.
- 3.3 Excessive absenteeism will result in corrective action.
- 3.4 The Department provides Sick Leave (or MegaFlex Leave) to cover absences due principally to illness or injury with the expectation that such leaves will be used only when an employee or an immediate family member is truly ill or injured.
- 3.5 A supervisor may require the employee to furnish a doctor's certification or other proof satisfactory to the Department. Generally, this occurs when an employee exhibits a pattern of absences, or frequent and prolonged absences.
- 3.6 For employees who are absent three (3) consecutive regular working days, medical certification is required on the third work day.
- 3.7 A scheduled absence must be approved by the employee's supervisor a minimum of one (1) work day in advance.
- 3.7.1 Such request must be made in writing on the LAC-DMH Request for Overtime or Time Off (ROTO).
- 3.7.2 The approved absence may be paid (covered by an accrued leave) or unpaid; it may be a full or partial day.
- 3.7.3 An employee's request to leave work early may be considered by his/her supervisor on the same day. These absences which are initiated by the employee and require prior approval by the employee's supervisor are allowed only when the needs of the Department service permit.
- 3.7.4 In case of an emergency, if the supervisor is not available, the employee must get prior approval from someone higher in the employee's chain of command.



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- 3.8 An employee must inform his/her supervisor at the employee's earliest knowledge of the need to take such leaves as Jury Duty or Witness Leave for which the need may arise unexpectedly, and which are essentially beyond the control of the employee.
- 3.9 An employee who, without prior authorization or appropriate notification, is absent or fails to discharge his/her regularly assigned duties for three (3) consecutive regular working days or two (2) consecutive regularly scheduled on-duty shifts, is considered to have resigned from County service unless the employee resumes his/her regularly assigned duties at the beginning of the next regular work day or on-duty shift.
- 3.9.1 Any employee failing to comply with these requirements is subject to loss of pay for the time absent and may be subject to disciplinary action.

### **PROCEDURE**

- 4.1 Each manager or supervisor is responsible for communicating work schedules, attendance expectations, and absence reporting or requesting requirements to his/her subordinates.
- 4.2 Each employee must inform his/her supervisor that he/she will not be at work as scheduled as soon as the employee learns of his/her inability to work.
- 4.2.1 If the employee is not physically able to contact his/her supervisor, he/she should ensure that someone notifies the supervisor as soon as practicable.
- 4.2.2 Notification should be made in accordance with applicable Memoranda of Understanding (MOUs) as soon as reasonably possible, before the start of the employee's shift to enable the supervisor to plan for staff coverage.
- 4.2.3 Following the initial notification, the employee must inform his/her supervisor of the expected date of return to work. If this is unknown, the employee is required to call in every day unless the supervisor and the employee otherwise agree about when and how often the employee should subsequently report to the supervisor during the employee's absence.
- 4.3 Supervisors and managers are expected to monitor, track, and analyze the occurrence of unscheduled absences, and document failures to meet the standards in performance evaluations. The standards must be applied consistently and uniformly.



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- 4.4 If an employee fails to appear for work and fails to provide required notification for three (3) consecutive regular working days or two (2) consecutive regularly scheduled on-duty shifts, the supervisor or manager must immediately contact the Human Resources Bureau.

### **AUTHORITY**

1. Los Angeles County Code Sections 5.12.030 and 6.20.120
2. California Kin Care Law (Labor Code Sections 233-234)
3. California Fair Employment and Housing Act
4. California Family Rights Act and the Pregnancy Disability Leave Act
5. Family and Medical Leave Act
6. Department of Human Resources Policies, Procedures and Guidelines No. 531

### **RESPONSIBLE PARTY**

LAC-DMH Human Resources Bureau